



9-11 -

9/11/05
JW
\$

Docket No.: 01946/100B861-US2
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Andrea LEONE-BAY *et al.*

Application No.: 10/005,511

Confirmation No.: 2401

Filed: November 7, 2001

Art Unit: 1615

For: COMPOUNDS AND COMPOSITIONS FOR
DELIVERING ACTIVE AGENTS

Examiner: J. M. Spear

**PETITION UNDER 37 C.F.R. § 1.78(a)(3) FOR UNINTENTIONALLY DELAYED CLAIM
UNDER 35 U.S.C. § 120 FOR THE BENEFIT OF PRIOR-FILED APPLICATIONS**

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants, through the undersigned attorney, hereby petition the Commissioner pursuant to 37 C.F.R. § 1.78(a)(3), to accept an unintentionally delayed claim for benefit of priority in this application.

This application is a continuation of U.S. Application Serial No. 08/820,694, which was filed on March 18, 1997 ('694 Application). While the '694 Application was pending, applicants amended the '694 specification to claim priority to International Application No. PCT/US96/04580 ('580 Application). The '580 Application claims priority from U.S. Serial Nos. 08/414,654 ('654 Application) and 60/003,111 ('111 Application). Applicants hereby petition the Commissioner to accept their claim for the benefit of priority to the '580, '654, and '111 Applications. The entire delay between the date the claim was due under 37 CFR § 1.78(a)(2) and the date of this petition was unintentional.

Assuming this petition is granted, the present application will be a continuation of U.S. Application Serial No. 08/820,694, filed March 18, 1997, now U.S. Patent No. 6,344,213, and claim the benefit of International Application No. PCT/US96/04580, published as WO 96/30036 on October 3,
{W:\01946\100b861us2\00405807.DOC #####}

08/04/2005 AKELLEY 00000007 040100 10005511

01 FC:1454 1370.00 DA